



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

SEP 28 2017

VIA FOIA ONLINE

Mr. Randy Seybold
WilmerHale
1875 Pennsylvania Avenue NW
Washington, DC 20006

Re: Freedom of Information Act Request No. EPA-R2-2014-001353 as prioritized on
October 20 and 21, 2015

Dear Mr. Seybold:

This is a follow-up to your request for information concerning the Knolls Atomic Power Laboratory (KAPL) - Knolls Site in Niskayuna, New York and/or the Separations Process Research Unit (SPRU).

The U.S. Environmental Protection Agency (EPA), has completed its file review and has identified responsive records to the subject FOIA request. The responsive records that have been released in their entirety or have been partially redacted and released can be found at EPA's FOIAonline system. These records are identified in the enclosed document called "SPRU FOIA Exemption as Determined by the US Environmental Protection Agency (USEPA) Headquarters".

However, EPA is withholding other responsive records in their entirety that are exempt from disclosure under FOIA Exemption 5, U.S.C. § 552(b)(5). We are asserting the deliberative process privilege (embodied with FOIA exemption 5, 5 U.S.C. § 552(b)(5)) to records identified in the attached tables, because the records are internal communications that are pre-decisional and deliberative in nature, and release of them would have a chilling effect on the ability of federal personnel to conduct frank internal discussions as part of a decision-making process and/or could cause public confusion as a result of disclosure of reasons and rationales that were not in fact, ultimately the grounds for an EPA action. The withheld exemption is listed on the enclosed log sheets shown below:

1. List of Responsive Draft Administrative Compliance Orders Withheld
2. List of Responsive Electronic File Documents Withheld
3. List of Responsive Email Records Withheld
4. List of Responsive Handwritten Notes Withheld
5. SPRU FOIA Exemption as Determined by the US Environmental Protection Agency (USEPA) Headquarters, folder number VI., HQ3-10 (all the attachments to emails have been withheld in their entirety)


These withheld records are located at the EPA Region 2 server or kept as hard copies in EPA's Region 2 office.

You may appeal this partial denial response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (28221), Washington, D.C. 20460 (U.S. Postal Service Only), E-mail: hq.foia@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, N.W. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington, D.C. 20004. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should clearly identify the determination being appealed, including the assigned FOIA request number shown above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal." See 40 C.F.R. § 2.104G) for further information regarding appeals of adverse determinations under FOIA.

Should you have any questions concerning this letter, please contact Mr. David Abrines of the Hazardous Waste Programs Branch at (212) 637-3043. Any subsequent communication should reference the above FOIA request number.

Sincerely,



 John Filippelli, Director
Clean Air and Sustainability Division

Enclosures

List of Responsive Draft Administrative Compliance Orders Withheld

FOIA Request No. EPA-R2-2014-001353

Files are located at USEPA Region 2 Server

Computer>ShareR>ESTAMATA>SPRU FOIA>SPRU FOIA RESPONSE FINAL>R2>Files>ACO
Withheld.docx

Nature of Document	Date of Document as Shown in MS Explorer	Basis for Withholding
Four draft ACOs, which appear to contain the agreement in principle	1/27/2012 10:09, 10:31 AM, 1/31/2012 4:40, 2/16/2012 10:50 AM	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Two draft Administrative compliance orders (ACO) generated in whole or part by EPA Region 2 Office of Regional Counsel regarding the SPRU matter after submission of draft to DOE.	6/20/2012 4:34 PM, 6/22/2011 3:45 PM	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Eleven draft ACO generated in whole or part by EPA Region 2 Office of Regional Counsel regarding the SPRU matter after submission of draft to DOE.	8/8/2011 1:40- 8/22/2011 3:36 PM	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Two draft ACO generated in whole or part by EPA Region 2 Office of Regional Counsel regarding the SPRU matter after submission of draft to DOE, but which appear to contain DOE comments.	8/18/2011 1:28, 1:28 PM	5 U.S.C. § 552(b)(5) (deliberative process privilege)
A draft ACO generated in whole or part by EPA Region 2 Office of Regional Counsel regarding the SPRU matter after submission of draft to DOE, but which appear to contain DOE comments.	6/10/2011 5:50 PM	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Thirty-one draft ACOs, which probably contain DOE comments	9/8/2011 10:20 – 2/16/2012 10:50AM	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Two draft unilateral ACOs generated in whole or part by EPA Region 2 Office of Regional Counsel regarding the SPRU matter.	9/15/2011 4:58, 1/10/2012 11:45	5 U.S.C. § 552(b)(5) (deliberative process privilege)

List of Responsive Electronic File Documents Withheld
FOIA Request No. EPA-R2-2014-001353
Files are located at USEPA Region 2 Server
Computer>ShareR>ESTAMATA>SPRU FOIA>SPRU FOIA RESPONSE
FINAL>R2>Files>Electronic Files Other Than ACO Withheld.docx

Nature of Document	Date of Document as Shown in MS Explorer	Basis for Withholding
Draft fact sheet generated by the EPA Region 2 Office of Regional Counsel regarding the SPRU matter.	2/1/2011 11:15 PM	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Two draft fact sheets generated in whole or part by the EPA Region 2 Office of Regional Counsel regarding the SPRU matter.	2/1/2011 3:52 PM, 3:52 PM	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Ten draft briefing documents generated in whole or part by EPA Region 2 Office of Regional Counsel regarding the SPRU matter.	07/22/11 1:22 PM, 3:40 PM; 07/25/11, 3:00 PM, 3:21 PM; 07/27/11 1:26 PM, 2:16 PM, 2:42 PM; 7/28/11 12:32PM; 7/29/11 2:58 PM, 2:59 PM	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Draft briefing document generated in whole or part by EPA Region 2 Office of Regional Counsel regarding the SPRU matter.	6/15/2011 4:48 PM	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Draft fact sheet generated in whole or part by EPA Region 2 Office of Regional Counsel regarding the SPRU matter.	6/16/2011 1:36 PM	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Draft briefing document generated in whole or part by EPA Region 2 Office of Regional Counsel regarding the SPRU matter.	7/20/2011 9:07 PM	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Draft briefing document generated in whole or part by EPA Region 2 Office of Regional Counsel regarding the SPRU matter.	7/20/2011 11:51 AM	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Summary generated by EPA Region 2 Office of Regional Counsel regarding negotiations with DOE. 1 of 2	7/21/2011 12:26 PM	5 U.S.C. § 552(b)(5) (deliberative process privilege)

Summary generated by EPA Region 2 Office of Regional Counsel regarding negotiations with DOE. Version 2 of 2	7/26/2011 10:27 AM	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Draft briefing document generated in whole or part by EPA Region 2 Office of Regional Counsel regarding the SPRU matter.	7/21/2011 10:43 AM,	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Briefing document, probably final, generated in whole or part by EPA Region 2 Office of Regional Counsel regarding the SPRU matter.	7/28/2011 7:58 PM	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Draft briefing document generated in whole or part by EPA Region 2 Office of Regional Counsel regarding the SPRU matter.	7/15/2011 9:01 AM	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Draft briefing document generated by EPA Region 2 Office of Regional Counsel regarding the SPRU matter.	7/18/2011 8:49 AM	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Response, probably a draft, generated by EPA Region 2 Office of Regional Counsel and Radiation and Indoor Air branch regarding the DOE Marcinowski report.	7/26/2011 7:30 AM	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Draft response generated by EPA Region 2 Office of Regional Counsel regarding the DOE Marcinowski report.	7/18/2011 4:06 PM	5 U.S.C. § 552(b)(5) (deliberative process privilege)
SPRU negotiation strategy generated by EPA Region 2 Office of regional Counsel	10/26/2011 12:52 PM	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Five draft briefing document generated in whole or part by EPA Region 2 Office of Regional Counsel regarding the SPRU matter.	7/27/2011 1:22 PM, 4:08 PM; 7/28/2011 3:05 PM, 6:14 PM, 7:53 PM	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Draft summary generated by EPA Region 2 Office of Regional Counsel regarding negotiations with DOE.	8/24/2011 5:07 PM	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Draft briefing document generated in whole or part by	9/26/2011, 4:42 PM.	5 U.S.C. § 552(b)(5) (deliberative process privilege).

EPA Region 2 Office of Regional Counsel regarding the SPRU matter.		
Three draft briefing document generated in whole or part by EPA Region 2 Office of Regional Counsel regarding the SPRU matter.	9/26/2011 10:43 AM, 11:16 AM, 12:00 PM,	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Two draft briefing document generated in whole or part by EPA Region 2 Office of Regional Counsel regarding the SPRU matter	10/21/2011 11:41 AM, 12:16 PM	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Draft briefing document generated in whole or part by EPA Region 2 Office of Regional Counsel regarding the SPRU matter	7/28/2011, 7:55 PM	5 U.S.C. § 552(b)(5) (deliberative process privilege)

List of Responsive Email Records Withheld
FOIA Request No. EPA-R2-2014-001353
Files are located at USEPA Region 2 Server
LOTUS NOTES Database

From/To	Date	Subject	Attachment	Basis for Withholding
From: E. Stamatakis To/CC: J. Hollinger	11/22/2011 07:40AM	SPRU Update		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To /CC: Susan Stahle and numerous EPA R2, HQ personnel	11/21/2011 05:44 PM	SPRU Update	SPRU Consent Order- Revised Draft5.doc; ACO redlined 5 versus 2.docx	5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/CC: Avi Garbow andEPAR2 Personnel From: E. Stamatakis To/CC: P. Giardina andEPAR2 Personnel	01/23/2012 04:46 PM 01/26/2012 09:00AM	SPRU Update 04:46 PM Fw: SPRU Update - 4:45 pm 1/23/2012		5 U.S.C. § 552(b)(5) (deliberative process privilege) 5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: E. Stamatakis To: J. Eng	01/26/2012 02:47 PM	An observation after a word search for "high level"		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/CC: M. Urie and DOE and EPA R2 Personnel	10/13/2011 04:16 PM	Compliance Order on Consent for the SPRU Matter	SPRU Consent Order - Revised Draft 2.doc; SPRU Consent Order Redline.docx	5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To: J. Eng	10/13/2011 06:12 PM	Re: SPRU Update		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/CC: E. Stamatakis and EPA R2andHQ Personnel	10/20/11 6:04 PM	SPRU Update -10/20/11 6:00 PM		5 U.S.C. § 552(b)(5) (deliberative process privilege)

From: J. Hollinger To: EPAR2 and HQ Personnel	10/27/2011 6:12 PM	SPRU Update -6PM 10/27/11		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: E. Stamataky To: Susan Stahle, Reid Rosnick	06/21/2011 08:34	Draft SPRU ACO and DOE's Comments	SPRU Order on Consent- Comments from DOE v2.doc; 5-25 pm f-draft for mgmt. l.pdf	5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: E. Stamataky To: P. Giardina and EPA R2 personnel	06/28/2011 09:34AM	Proposed Explanation Of EPA's Regulatory Authority for Requiring DOE to Classify Waste at SPRU		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: E. Stamataky To/CC: E. Schaaf and EPAR2 personnel	08/01/2011 01:46	Fw: Follow- up on phone calls this week and questions regarding waste management		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/CC: P. Giardina, EPA R2 Personnel	07/18/2011 10:06 AM	The Issue at SPRU		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/Cc: E. Stamataky, EPA R2 personnel	07/20/2011 01:46 AM	Re: draft SPRU Briefing Paper		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/Cc: P. Giardina, EPA R2 Personnel	08/01/2011 10:37 AM	Eric, Flaire, and Jacdb- You'll Need to Read This BEFORE you Have Contact with DOE on Monday		5 U.S.C. § 552(b)(5) (deliberative process privilege)

From: J. Hollinger To/Cc: E. Schaaf, T. Lieber	08/11/2011 12:14AM	FW: Did you send the Stoller materials?		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: E. Stamatakis To/Cc: E. Schaaf, EPA R2 Personnel	08/18/2011 11:08 AM	Status of Draft SPRU ACO	8-18-2011 Draft Final ACO.doc	5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: E. Stamatakis To/Cc: J. Eng, F. Mills	08/18/2011 04:00PM	Draft ACO For RIAB	8-18-2011 Draft Final ACO.doc, SPRU Order on Consent-Comments from DOE v2.doc	5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: E. Stamatakis To/Cc: P. Giardina, F. Mills, J. Hollinger	08/22/2011 03:43 PM	Revised ACO	8-22-2011 Defat Final ACOJE EJS.doc	5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To: F. Mills T. Lieber, E. Schaaf	08/26/2011 04:05 PM	SPRU Update		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/Cc: P. Giardina, J. Eng, E. Stamatakis	08/26/2011 04:50 PM	SPRU - comments on Draft ACO		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To: P. Giardina, J. Eng, E. Stamatakis	09/08/2011 11:27 AM	SPRU order-new draft	RIAB to J. Hollinger-version 2.doc; Redline.docx	5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/CC: J. Eng, EPA R2 personnel	09/08/2011 02:32 PM	SPRU order - new draft	RIAB to J. Hollinger-version 3.doc;	5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/Cc P.F Giardina,,F. Mills, E. Stamatakis T. Lieber. E. Schaaf	09/13/2011 01:28 PM	Update on SPRU negotiations		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: E. Schaaf To/Cc F. Mills, E. Stamatakis T. Lieber. J. Hollinger	09/14/2011 09:45 PM	Update on SPRU negotiations		5 U.S.C. § 552(b)(5) (deliberative process privilege)

Email From: J. Hollinger To: M Urie, M Roy, F. Putzo, C. Nunn, A. Finken Cc: E. Stamataky, F. Mills, T Lieb er	09/20/2011 11:40 AM	Compliance Order on Consent for the SPRU Matter	SPRU Consent Order- Revised Draft 2.doc SPRU Consent Order Redline.docx	5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/Cc: J. Hollinger, EPA R2 personnel	10/12/2011 05:49	SPRU Update		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/M. Urie, F. Amersinge:	10/21/2011 03:40 PM	SPRU - new draft compliance order	SPRU Consent order- Revised Draft 3.doc; SPRU ACO redline 3 versus 2.docx	5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/Cc: EPA R2 and EPA HQ senior management and other personnel	10/25/2011 10:56:AM	SPRU Proposes Agenda for internal EPA meeting		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/Cc: P. Giardina, E. Stamataky, J. Eng	11/03/2011 04:29PM	SPRU - paragraphs 76 and 113 - draft revisions		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/Cc: P. Giardina, E. Stamataky, J. Eng	11/03/2011 03:38 PM	SPRU- paragraphs 76 and 113 - draft revisions		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/Cc: E. Stamataky, J. Eng, A. Iglesias	11/22/201 11:08 AM	SPRU- Update		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/Cc: S. Stahle and EPAR2andHQ personnel	11/21/2011 05:44 PM	SPRU- Update		5 U.S.C. § 552(b)(5) (deliberative process privilege)

From: J. Hollinger To/Cc: P. Giardina, E. Stamatakis, J. Eng	12/05/2011	SPRU	SPRU Consent Order- Revised Draft 6. Doc; SSPRU Redline 6 versus 5.docx	5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/Cc: P. Giardina, E. Stamatakis, J. Eng	12/14/2011	SPRU Update	SPRU Consent order - Revised Draft 7.doc; redline 7V6.docx	5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/Cc: E. Stamatakis, EPA R2 and HQ personnel	01/05/2012 11:56 AM	SPRU Update -11:45 am 1/5/2012		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/Cc: E. Stamatakis, EPA R2 and HQ personnel	01/10/2012 01:29 PM	Fw: SPRU Update- 11:45 am 1/5/2012		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To: E. Schaaf	01/12/2012 12:40 PM	FW: SPRU		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To: J. Filippelli, A. Iglesias, P. Giardina	01/12/2012 01:41 PM	Fw: SPRU		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To:	01/12/2012 04:13 PM	Fw: SPRU		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To J. Filippelli, A. Iglesias, E. Schaaf	01/17/2012	SPRU-1 think we are waiting for Avi to give the ok		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/Cc: A. Garbow, E. Schaaf .	01/19/2012 09:47 AM	SPRU		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/Cc: A. Garbow	01/18/2012 06:53 PM	SPRU		5 U.S.C. § 552(b)(5) (deliberative process privilege)

From: J. Hollinger To/Cc: A. Garbow, E. Schaaf	01/19/2012 12:52 PM	SPRU		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/Cc: J. Hollinger A. Garbow, E. Schaaf	01/19/2012 12:06 PM	SPRU		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/Cc: A. Garbow, E. Schaaf	01/19/2012 09:47 AM	SPRU		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/Cc: A. Garbow, and EPA R2 and HQ Personnel	01/25/2012 06:38 PM	SPRU update - 6:30 pm 1/25/12		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/Cc: P. Giardina andEPAR2 HQ personnel	01/26/2012 04:20 PM	*Confidential SPRU Paragraph 76 Issues ad Answers		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/Cc: E. Stamataky, EPAR2 personnel	01/27/2012 09:49AM	Staff position on the application of 40 CFR 191 to SPRU		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: E. Stamataky To: E. Schaaf, P. Feinmark, J. Hollinger	01/27/2012 09:34	Staff position on the application of 40 CFR 191 to SPRU		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/Cc: P. Feinmark, E. Schaaf, J. Hollinger	01/27/2012 11:13 AM	SPRU Update - 11 am 1/27/12	SPRU Consent Order-EPA Concurrence Copy	5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/Cc: F. Amersighe, M. Urie (DOE); EPA R2 Personnel	01/31/2012 05:15 PM	SPRU compliance order on consent	SPRU Consent Order- January 31, 2012.pdf	5 U.S.C. § 552(b)(5) (deliberative process privilege)

From: J. Hollinger To/Cc: P. Giardina, EPAR2andHQ personnel	02/01/2012 09:09AM	DEPP-RIAB Determines SPRU- KAPL In Compliance with RAD NESHAP as of January 31, 2012		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: J. Hollinger To/Cc: F. Amersighe, M. Urie (DOE); EPA R2 Personnel	02/09/2012 03:05 PM	SPRU- consent order signature page		5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: E. Schaaf To/Cc: A. Garbow, J. Hollinger T. Lieber	10/18/2011 02:39 PM	Updating A. Garbow and forwarding A. Garbow A. J Hollinger email to A Garbow: Regarding negotiations of compliance order, the Macinowski report, and penalties	From J. Hollinger To: E. Stamataky, P. Giardina, J. Eng. A. Iglesias, T Lieber E. Schaaf, K. Doster, G. Pendleton	5 U.S.C. § 552(b)(5) (deliberative process privilege)
From: E. Schaaf To/Cc: A. Garbow, J. Hollinger T. Lieber	10/18/2011 02:42	Forwarding Same as above but including email from DOE transmitting draft SPRU Consent Order	From M. Urie To J Hollinger and other EPA and DOE personnel.	SPRU Consent Order - Revised Draft 2 (10-12- 11).doc
From: E. Schaaf To/Cc: A. Garbow,. A. Heard, D. Kling, J. Hollinger, T. Lieber	10/18/2011 09:43 AM	Updating A. Garbow and forwarding A. Garbow a. J Hollinger	10/18/2011 06:07 PM From J. Hollinger To: E. Stamataky, P.	5 U.S.C. § 552(b)(5) (deliberative process privilege)

		email to A Garbow: regarding negotiations of compliance order.	Giardina, J. Eng. A. Iglesias, K. Doster and other EPA personnel	
From: E. Schaaf To/Cc: A. Garbow, J. Hollinger T. Lieber	10/18/2011 02:42	Forwarding Same as above but including email from DOE transmitting draft SPRU Consent Order	From M. Urie To J Hollinger and numerous EPA and DOE personnel. SPRU Consent Order - Revised Draft 2 (10-12-11).doc	5 U.S.C. § 552(b)(5) (deliberative process privilege)

List of Responsive Handwritten Notes
Withheld FOIA Request No. EPA-R2-2014-
001353

Files are stored at USEPA Region 2 Offices

Nature of Document	Date of Document	Basis for Withholding
Three pages of handwritten notes, regarding the SPRU matter, taken by an EPA Assistant Regional Counsel during an EPA meeting about SPRU.	12/06/2010	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Thirteen pages of handwritten notes, regarding the SPRU matter, taken by an EPA Assistant Regional Counsel during a meeting with EPA and US DOE personnel in Dec 2010, about SPRU.	06/20/2010	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Three pages of handwritten notes, regarding the SPRU matter, taken by an EPA Assistant Regional Counsel during an EPA meeting regarding SPRU.	01/03/2011	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Ten pages of hand-written notes, regarding the SPRU matter, taken by an EPA Assistant Regional Counsel during a conference call with EPA and US DOE personnel about SPRU.	01/25/2011	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Three pages of handwritten notes, regarding the SPRU matter, taken by an EPA Assistant Regional Counsel during a conference call with EPA and DOE personnel about SPRU.	02/16/2011	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Two pages of handwritten notes regarding, the SPRU matter, taken by an EPA Assistant Regional Counsel during a conference call with EPA and DOE personnel about SPRU.	Undated but probably between 02/16/2011 and 08/01/2011	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Two pages of handwritten notes, regarding the SPRU matter, taken by an EPA Assistant Regional Counsel during a conference call with EPA personnel about SPRU.	08/01/2011	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Five full pages and one line on a sixth page of handwritten notes, regarding the SPRU matter, taken by an EPA Assistant Regional Counsel	08/09/2011	5 U.S.C. § 552(b)(5) (deliberative process privilege)

during a conference call with EPA personnel about SPRU.		
Two pages of handwritten notes, regarding the SPRU matter, taken by an EPA Team Leader at the Office of Regional Counsel during a conference call with EPA and US DOE personnel about SPRU.	07/26/2011	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Two pages of handwritten notes, regarding the SPRU matter, taken by an EPA Team Leader at the Office of Regional Counsel.	Undated but probably on 06-07/2011	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Two pages of handwritten notes, regarding the SPRU matter, taken by an EPA Team Leader at the Office of Regional Counsel.	07/12/2011	5 U.S.C. § 552(b)(5) (deliberative process privilege)
One page of handwritten notes, regarding the SPRU matter, taken by an EPA Team Leader at the Office of Regional Counsel during a conference call with EPA and US DOE personnel about SPRU	07/14/2011	5 U.S.C. § 552(b)(5) (deliberative process privilege)
Two pages of handwritten notes, regarding the SPRU matter, taken by an EPA Team Leader at the Office of Regional Counsel during an EPA meeting about SPRU.	07/14/2011	5 U.S.C. § 552(b)(5) (deliberative process privilege)

SPRU FOIA Exemptions as Determined by the US Environmental Protection Agency (USEPA)
Headquarters

Records reviewed by USEPA Headquarters have been forwarded to USEPA Region 2. Records released in their entirety have been downloaded to FOIAonline. Records withheld in their entirety, in accordance with 5 U.S.C. § 552(b)(5) (deliberative process privilege) are being maintained by USEPA Region 2 at the file locations identified below. Records containing redactions, in accordance with 5 U.S.C. § 552(b)(5) (deliberative process privilege), have been downloaded to FOIAonline. Additional details are provided below.

I. Computer>ShareR>ESTAMATA>SPRUFOIA>SPRU FOIA RESPONSE FINAL>HQ>1-19
This folder contains 29 records. All of them have been downloaded to FOIAonline.

II. Computer>ShareR>ESTAMATA>SPRUFOIA>SPRU FOIA RESPONSE FINAL>HQ>2-2a
This folder contains 12 records all of which have been downloaded to FOIAonline:

- Two administrative compliance orders (ACO) - 02/09/12, 02/09/12
- Nine emails 12/01/2011 thru 12/05/2011
- One email, which has been redacted - 10/25/2011

III. Computer>ShareR>ESTAMATA>SPRUFOIA>SPRU FOIA RESPONSE FINAL>HQ>2-2b

This folder contains 74 redacted email records from the period of time from 01/05/12 through 02/02/2012. All of these redacted files have been downloaded to FOIAonline. Attachments associated with emails are contained in subfolder HQ3-10.

IV. Computer>ShareR>ESTAMATA>SPRUFOIA>SPRU FOIA RESPONSE FINAL>HQ>2-23

This folder contains 56 redacted email records from the period of time from 12/16/2011 through 02/06/12. All of these redacted files have been downloaded to FOIAonline. Attachments associated with emails are contained in subfolder HQ3-10.

V. Computer>ShareR>ESTAMATA>SPRUFOIA>SPRU FOIA RESPONSE FINAL>HQ>3-7

This folder contains 4 email redacted records from the period of time from 09/13/2011 through 08/16/12. All of these redacted files have been downloaded to FOIAonline. Attachments associated with emails are contained in subfolder HQ3-10.

VI. Computer>ShareR>ESTAMATA>SPRUFOIA>SPRU FOIA RESPONSE FINAL>HQ>HQ3-10

Attachments to Emails:

All of the attachments have been withheld in their entirety. Multiple copies of attachments are located in the file folder.

- US Department of Energy (USDOE) briefing documents
- USDOE reports
- Draft ACOs
- Records containing proposed language to draft ACO
- Draft or final USEPA briefing documents
- Records containing USEPA comments to USDOE reports